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EXAMINER	
ROHWER, JACOB P	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/005,582	HUBE ET AL.	
	Examiner	Art Unit	
	Jacob P. Rohwer	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14,22-25 and 27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14,22-25 and 27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 December 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 5, 10-12, 14 and 22-24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5-8, 10, 28, 32 and 35-38 of U.S. Patent Application No. 10/014637. Although the conflicting claims are not identical, they are not patentably distinct from each other.

With regard to similarities between the current application and application No. 10/014637, in claims 1, 5-8, 10, 28, 32 and 35-38, a printing system and a method (obvious in view of the system) are claimed in U.S. Patent Application No. 10/014637.

Claim 1 of current application:

In claim 1 (10/014637) there is a document processing system having a document processing subsystem in which a job, **(Lin 1-2)** including a set of images represented by a set of image data, is processed in multiple renderings **(Lin 2-3 and 7-8)**, in response to input provided by a user, **(Lin 9)** to obtain first and second job processing events of the job corresponding to the first and second renderings **(Lin 10-15)**, respectively, a method comprising:

programming a first job control ticket with a first set of attributes, the first job control ticket controlling a manner in which the job is to be processed in the first job processing event; **(Lin 10-13)**

programming a second job control ticket with a second set of attributes, the second job control ticket controlling a manner in which the job is to be processed in the second job processing event; **(Lin 13-15)** linking a master job control ticket with user selectable global attributes and user selectable individual ticket attributes to the first and second job control tickets wherein the global attributes comprise first properties of the first and second job control tickets and the individual attributes comprise second properties of a selected individual one of the first and second job control tickets and wherein the first and second job processing events are based on the same set of image data; **(Lin 16-26)**

linking the master job control ticket with the first and second job control tickets and the set of images **(Lin 16-17)** so that, with one submission of the job to the document processing subsystem, **(Lin 17-18)** the job is processed in the first job processing event with the first job control ticket and in the second job processing event with the second job control ticket so that the same job data is applied to the first and second job processing events, wherein the job need not be submitted multiple times to the document processing subsystem to accommodate the multiple renderings. **(Lin 21-26)**

With regard to differences between the current application and application No. 10/014637, claim 1 of application No. 10/014637, is directed toward a document processing system, **(Lin 1)** while claim 1 in the current application is directed toward steps in a method. However, it would have been obvious to carry out the steps of the method as specified in claim 1 of the current application, on the system of application No. 10/014637. The suggestion/motivation for doing so would have been to provide means to perform the steps.

Claim 5 of current application:

In claim 7 (10/014637) it claims:

editing at least one of the first and second job control tickets. **(Lin 1-2)**

Claim 10 of current application:

In claim 5 (10/014637) it claims:

includes performing a first set of one or more image processing operations on a copy of the set of images in the first job processing event and performing a second set

of one or more image processing operations on a copy of the set of images in the second job processing event. **(Lin 1-5)**

Claim 11 of current application:

In claim 6 (10/014637) it claims:

includes performing a first set of make-ready operations on a copy of the set of images in the first job processing event and performing a second set of make-ready operations on a copy of the set of images in the second job processing event. **(Lin 1-4)**

Claim 12 of current application:

In claim 8 (10/014637) it claims:

configuring the first and second job control tickets so that the first set of attributes includes at least one attribute corresponding with a first type of offline finishing and/or the second set of attributes includes at least one attribute corresponding with a second type of offline finishing. **(Lin 1-5)**

Claim 14 of current application:

In claim 10 (10/014637) it claims:

linking the first and second job control tickets with a master job ticket including first and second selectable portions corresponding respectively with the first and second job control tickets, wherein the first selectable portion is selected, and the second selectable portion is not selected, wherein the job is processed in accordance with the first job control ticket, but not in accordance with the second job control ticket. **(Lin 1-8)**

Claim 22 of current application:

Please see rejection of claim 1 above. Additionally, claim 22 specifies the system that claim 1 of application No. 10/014637 specifies.

Claim 23 and 24 of current application:

In claims 1, 28 and 32 (10/014637) it claims a system and print subsystem **(claim 1 Lin 2, claim 28 Lin 2)** corresponding to the method of claim 1:

wherein one of the first and second printers comprises a xerographic printer. **(Claim 32 Lin 1-2)**

Therefore, claims 1, 5, 10-12, 14 and 22-24 of the current application are not patentably distinct from the claims mentioned above in U.S. Patent Application No. 10/014637.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-14, 22-24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 6,134,568 to Tonkin, in view of US Patent No 6,509,974 to Hansen, as cited in the previous rejections.

Regarding claim 1, Hansen discloses a document processing system **(Fig 1a-1b and Fig 2)** with at least one document processing subsystem **(Fig 1b #122)** where a job, including a set of images represented by a set of image data, is processed in multiple renderings **(Fig 4 discloses documents to be printed in a job ticket to be**

sent to the processing subsystem, also multiple renderings are disclosed), in response to input provided by a user, **(Fig 4)** to obtain first and second job processing events of the job corresponding to the first and second renderings **(Fig 5, Col 2 Lin 20-22)**, respectively, a method comprising:

programming a first job control ticket with a first set of attributes, the first job control ticket controlling a manner in which the job is to be processed in the first job processing event; **(Fig 4 Print Settings D6 for Document 6)**

programming a second job control ticket with a second set of attributes, the second job control ticket controlling a manner in which the job is to be processed in the second job processing event; **(It is understood based on the disclosure of Print Settings D6 that the same settings can be made for other documents in Fig 4, such as documents 2 or 3, or even an additional document under the print settings B2 for example)** linking a master job control ticket with user selectable global attributes and user selectable individual ticket attributes to the first and second job control tickets wherein the global attributes comprise first properties of the first and second job control tickets and the individual attributes comprise second properties of a selected individual one of the first and second job control tickets; **(Fig 4 discloses that the ticket includes Books, and that each Book can consist of multiple documents, i.e. Book 1 and Document 2 and 3, and that a Book can also contain global attributes relating to output of all the documents within the Book, i.e Print Settings B2 and individual attributes for a single document within a Book, i.e. Print Settings D6)**

linking the master job control ticket with the first and second job control tickets and the set of images **(as shown in Fig 4, Documents are linked (drop down) to a master control ticket such as shown with Document 6 and Book 2)** so that, with one submission of the job to the document processing subsystem, **(Fig 4 #428)** the job is processed in the first job processing event with the first job control ticket and in the second job processing event with the second job control ticket, wherein the job need not be submitted multiple times to the document processing subsystem to accommodate the multiple renderings. **(Col 15 Lin 44-46 discloses the compound print job will be sent to the printing device(s))**

Although Hansen discloses creating a compound document for processing and assembly, he does not expressly disclose there are multiple alternative renderings of the same set of image data. However, Han discloses a printing system and method **(Fig 1-3)** including a user interface **(Fig 4-6)** where a user can program a job mode so that the system outputs the same set of image/print data in two alternative renderings, **(The disclosure specifies entering attributes relating to printing medium to be used (paper and transparency) and number of copies of each)** and further that the two alternative renderings only require one job submission. **(Para [0014])**

At the time of the invention it would have been obvious to one of ordinary skill in the art to process the same set of image data as specified in Han by using the ticket format including global attributes and individual attributes as specified in Hansen, so that a set of image data can be output at multiple printers in alternative renderings.

The suggestion/motivation for doing so would have been provide a set of image data in different renderings to be used in different modes, for example presentation mode (Overhead Projector) and paper mode, while not having to submit the same print job twice. **(Han Para [0013])**

Therefore it would have been obvious to combine the Hansen and Han References in order to obtain the invention as specified in claim 1.

Regarding claim 2, the combination further discloses in Hansen the method of claim 1, further comprising linking the first and second job control tickets with a master job ticket including first and second user selectable portions corresponding respectively with the first and second job control tickets, **(Fig 4, Document 6 and further additional Document Settings as discussed in the rejection of claim 1 above.)** wherein each first and second user selectable portions is selected to cause the job to be processed in the first job processing event with the first job control ticket and in the second job processing event with the second job control ticket. **(Col 15 Lin 7-28 discloses such options as moving, creating or deleting tickets and associating or dissociating tickets, books and documents to be printed.)**

Regarding claim 3, the combination further discloses in Hansen the method of claim 2, further comprising providing the master ticket with a third user selectable portion, **(global instructions as specified in the rejection of claim 1 above, Fig 4 #438)** the third user selectable portion corresponding with an instruction, wherein when the user selects the third user selectable portion an operation is performed globally in each first and second job processing events. **(The compound job includes all of the**

job processing attributes in both documents and the master ticket including the global instructions.)

Regarding claim 4, the combination further discloses in Hansen the method of claim 1, in which a third job control ticket controlling a manner in which the job is to be processed in a third job processing event is programmed **(Using the ticket menu #408 of Fig 4, a user can create more tickets, i.e. add a document)** and the third job control ticket is referenced to the set of images, further comprising linking the first, second and third job control tickets with a master job control ticket including first, second and third user selectable portions corresponding respectively with the first, second and third job control tickets, **(the workflow software associates the tickets with the print data; Col 9 Lin 4-5, Fig 4 shows the associated job ticket and page tickets with the Book 2 print data that it is associated with, as selected by a user)** wherein one or more of the first, second and third user selectable portions are selected to cause the job to be processed in one or more of the first job processing event with the first job control ticket, the second job processing event with the second job control ticket and the third job processing event with the third job control ticket. **(all three processing events are currently selected by the user to be submitted via the print button #428 in Fig 4)**

Regarding claim 5, the combination further discloses in Hansen the method of claim 1, further comprising editing at least one of the first and second job control tickets. **(Fig 4, Col 15 Lin 7-14)**

Regarding claim 6, the combination further discloses in Hansen the method of claim 5, wherein said editing includes leaving the master job control ticket unaltered. **(the document print settings tickets are separate entities from the print settings of the book and if one ticket changes, it does not change the other, for example, if a user changed the media from letter to gold in the first document print settings tickets D6, the master ticket print settings B2 would not change.)**

Regarding claim 7, the combination further discloses in Hansen the method of claim 5, wherein said editing includes changing one or both of the first and second sets of attributes. **(Col 15 Lin 9-11, editing can include setting the attributes.)**

Regarding claim 8, the combination further discloses in Hansen the method of claim 5, wherein said editing includes deleting both the first job control ticket and first user selectable portion. **(Col 15 Lin 12, wherein the deleting a ticket deletes the user's ability to select the ticket and change the attributes)**

Regarding claim 9, the combination further discloses the method of claim 1, wherein said method includes generating a first output by producing prints of the set of images in the first job processing event and generating a second output by producing prints of the set of images in the second job processing event. **(Hansen in Fig 1b discloses multiple printers to output different job processing events.)**

Regarding claim 10, Han further discloses the method of claim 1, wherein said method includes performing a first set of one or more image processing operations on a copy of the set of images in the first job processing event and performing a second set of one or more image processing operations on a copy of the set of images in the

second job processing event. **(Para [0033-0034], Transparency Mode and Normal Mode)**

Regarding claim 11, the combination further discloses in Hansen the method of claim 1, wherein said method includes performing a first set of make-ready operations on a copy of the set of images in the first job processing event **(Col 5 Lin 15-32, Col 7 line 8, Col 19 Lin 54-57, wherein the entire print job [for example Book 2 of Fig 4], including master ticket and individual page tickets is made ready for whatever specific printing of each is needed into a printer ready format)** and performing a second set of make-ready operations on a copy of the set of images in the second job processing event. **(The conversion to a printer ready format would inherently be different between two different pages with two different page tickets due to different image data and output settings, such as page 2 and 4 of Book 2, for example if one page was black and white the other color, the system would have different operations for preparing them for printing, especially in the case where the job is being prepared for printing across multiple printers as shown in Fig 7)**

Regarding claim 12, the combination further discloses in Hansen the method of claim 1, further comprising configuring the first and second job control tickets so that the first set of attributes includes at least one attribute corresponding with a first type of offline finishing and/or the second set of attributes includes at least one attribute corresponding with a second type of offline finishing. **(Fig 1b XYZ Offline Finishing Device is available according to set off-line attributes as disclosed in Fig 4.)**

Regarding claim 13, the combination further discloses the method of claim 12, further comprising creating a hardcopy sheet including representations of one or both of the at least one attribute corresponding with the first type of offline finishing and the at least one attribute corresponding with the second type of offline finishing. **(Hansen Fig 5 shows hardcopies of output sheets, if an offline-finishing attribute is selected, and the job is processed accordingly, it is known that the output will be completed representing the attribute specified.)**

Regarding claim 14, the combination further discloses in Hansen the method of claim 1, further comprising linking the first and second job control tickets with a master job ticket including first and second selectable portions corresponding respectively with the first and second job control tickets, wherein the first selectable portion is selected, and the second selectable portion is not selected, **(Col 15 Lin 7-28 discloses such options as moving or deleting tickets and associating or dissociating tickets, books and documents to be printed. This disclosure allows a user to delete a document from the ticket, so that only a first job processing event occurs while the second job processing event does not occur.)** wherein the job is processed in accordance with the first job control ticket, but not in accordance with the second job control ticket. **(Col 15 Lin 44-49 the selected documents that are part of the compound document are output.)**

Regarding claim 22, please see rejection of claim 1. Furthermore the system disclosed in Hansen **(Fig 1)** performs the method of claim 1.

Regarding claim 23, Hansen further discloses the job ticket control system of claim 22, wherein the document processing system includes a printing subsystem. **(Fig 1b #122)**

Regarding claim 24, Hansen further discloses the job ticket control system of claim 23, wherein said printing subsystem includes a xerographic printing device. **(Col 4 Lin 12-18)**

Regarding claim 27, Hansen further discloses the method of claim 22, wherein the global and individual attributes selections in the master job control ticket only change the attributes of the first and second job control tickets when used under that master job control ticket and do not change the attributes of the first and second job control tickets globally such as when the tickets are used under another master job control ticket. **(It is understood in Fig 4 that there can be multiple master tickets including global attributes, i.e. Print Settings B2 for Book 2 and a corresponding set of global settings for Book 1, wherein a document can be set under Book 1 while not using the attributes of Book 2 or vice versa.)**

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hansen and Han as applied to claim 1 above, and further in view of well known prior art.

Regarding claim 25, Hansen further teaches a hierarchal structure that supports objects within objects, or master tickets including individual tickets within higher master tickets.

Examiner takes official notice that well known prior art teaches that within this hierarchal structure, there can be master tickets within master tickets as specified in claim 25.

At the time of the invention, it would have been obvious to one of ordinary skill in the art that the combination of Hansen and Han could have been modified to include another set of master attributes, within a higher set of attributes as specified in claim 25. The motivation for doing so would have been to allow users to make an even more specific group of document components with attributes corresponding to certain components but not to others.

Response to Arguments

Applicant's arguments with respect to claims 1-14, 22-25 and 27 have been considered but are moot in view of the new ground(s) of rejection.

The combination of Hansen and Han has been found to read on the claim limitations as specified in the rejection above. More specifically Hansen discloses the structure of submitting print data allowing a user to set global and individual print attributes according to the desired output. Han discloses multiple alternative renderings of the same set of print data and further provides motivation for setting the multiple renderings and only submitting the job once.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent No 6,393,231 to Okawa et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob P. Rohwer whose telephone number is 571-272-5509. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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JR
5/11/07

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